

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB EAC 13-01 International Driver Permits

SPONSOR(S): Economic Affairs Committee

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Economic Affairs Committee	18 Y, 0 N	Kiner	Creamer

SUMMARY ANALYSIS

The bill amends s. 322.04, F.S., to remove the requirement that nonresident out-of-country visitors carry a valid International Driving Permit (IDP) in order to drive lawfully in Florida. The bill brings s. 322.04, F.S., back to its pre-2012 regular legislative session form. As such, out-of-country visitors who are at least 16 years old will be able to drive legally as long as these visitors carry a valid driver license from their home state or country.

The bill has no fiscal impact on the state or local governments.

The bill is effective upon becoming a law and is retroactive to January 1, 2013.

FULL ANALYSIS

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: pcb01a.EAC

DATE: 3/7/2013

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

In general, a Florida driver license is required to drive a motor vehicle in the state.¹ There are, however, exemptions from this requirement. Most notably, these exemptions apply to certain nonresidents, including out-of-country visitors.² Prior to the 2012 regular legislative session, a nonresident out-of-country visitor could legally drive in the state as long as he or she was at least 16 years old and carried a valid driver license from his or her home country.

During the 2012 regular legislative session, the Florida Legislature amended s. 322.04, F.S., to require that nonresident out-of-country visitors also carry a valid International Driving Permit (IDP) in order to drive lawfully in Florida. The intent was to give law enforcement agencies an additional tool when attempting to verify the authenticity of out-of-country driver licenses, which are often in languages other than English.

To be eligible to receive an IDP, an applicant must be at least 18 years old and must hold a valid driver license issued in the applicant's home state or country; the IDP is not a replacement or substitute for a valid driver license – it is to be carried with the applicant's regular driver license. The IDP expires after one year or whenever the applicant's driver license expires, whichever occurs first. The IDP must also be issued within six months of the application date. Additionally, an IDP serves as a translation tool for visitors when abroad.

The change took effect January 1, 2013. As a consequence of the amended law, visitors from countries that currently issue driver licenses in English (most notably Canada and Great Britain) are required to obtain an IDP before driving legally in Florida. The amended law may also violate the Geneva Convention on Road Traffic (1949), an international treaty to which the United States is a signatory.³

Effect of Proposed Change

The bill amends s. 322.04, F.S., to remove the requirement that nonresident out-of-country visitors carry a valid International Driving Permit (IDP) in order to drive lawfully in Florida. The change will bring s. 322.04, F.S., back to its pre-2012 regular legislative session form. As such, nonresidents that are at least 16 years old, including out-of-country visitors, will be able to drive legally as long as these visitors have a valid driver license from their home country.

The bill is effective upon becoming a law and retroactive to January 1, 2013.

B. SECTION DIRECTORY:

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| Section 1: | Removes the requirement that nonresident out-of-country visitors carry an International Driving Permit in addition to a valid driver license issued in their home country in order to lawfully drive in the state; |
| Section 2: | Provides that the bill is effective upon becoming a law. |

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

¹ s. 322.03, F.S.

² For example, these exemptions apply to active duty U. S. military, out-of-state residents that only commute to Florida to work, full-time college students from out-of-state, and out-of-state and out-of-country visitors on vacation. *See* ss. 322.031(2), F.S., and s. 322.04(1)(c), F.S.

³ *See* the Florida Department of Highway Safety and Motor Vehicles Legal Opinion on “Requirement for International Driving Permit.” Docket Number: 2013-0007611. A copy of the legal opinion is on file with the Florida House of Representatives, Economic Affairs Committee.

1. Revenues:
This bill has no fiscal impact.

2. Expenditures:
This bill has no fiscal impact.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:
This bill has no fiscal impact.

2. Expenditures:
This bill has no fiscal impact.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill will eliminate the requirement that nonresident out-of-country visitors purchase an International Driving Permit, which cost between \$15-\$25 depending on the issuing jurisdiction.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:
None.

2. Other:
None.

B. RULE-MAKING AUTHORITY:

This bill neither requires nor impacts rulemaking authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES